

JUSTIFICATION
FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations
Technology Acquisition Center
23 Christopher Way
Eatontown, NJ 07724

2. This requirement will be accomplished via:

☒ New Purchase Order

Purchase Order will be:

☒ Firm Fixed Price

Type of Funds:

☒ Information Technology Systems

3. Description of Supplies or Services.

☒ Services

This requirement is to renew maintenance and support and purchase new brand name DameWare Remote Support (formerly DameWare NT Utilities) v11.0.0 Software and DameWare Mini Remote Control v11.0.0 Software for facilities in the VA Region 3 Office of Information and Technology (OI&T) as specified below. DameWare is a utility that OI&T System Administrators use to remotely connect to computers and servers in order to perform advanced ticket triage as well as Tier 2 and 3 remote monitoring and support. DameWare allows staff to remediate issues and provide support quickly by reducing the requirement for staff to be onsite. Due to the implementation of Service Lines and additional hirings of Automated Data Processing Application Coordinators, and Clinical Application Coordinators within Region 3, existing quantities of DameWare products are insufficient to meet the current need. The maintenance for the current DameWare software expires on September 29, 2014.

Description	Part #	QTY
SolarWinds DameWare Mini Remote Control -NEW- (15 or more users) - License with 1st year Maintenance/Support	11563	249

Solarwinds DameWare Remote Support [formerly DameWare NT Utilities] -NEW- (15 or more users) - License with 1st year Maintenance/Support	11663	16
SolarWinds DameWare Mini Remote Control Annual Support Renewal	11569-580	1009
DameWare Remote Support [formerly DameWare NT Utilities] Annual Support Renewal	11668-680	502

The period of performance for this effort is September 30, 2014 through September 29, 2015.

Estimated total cost: [REDACTED]

4. Authority Cited.

The statutory authority permitting an exception to fair opportunity is Section 41 U.S.C. 4106(c)(2) as implemented by the Federal Acquisition Regulation (FAR) Subpart 16.505(b)(2)(i)(B), entitled "Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized."

5. Reason for Authority Cited.

Based on market research, as described in paragraph 8 of this document, it was determined that limited competition is available for the aforementioned brand name items and services. The DameWare support coverage from DameWare, or an authorized reseller, will provide product support and new version updates to existing software. Only DameWare, or an authorized reseller, has the proprietary rights to warranty this software. Other sources do not allow for the viewing of remote workstations' dual video capabilities or allow pass through of privileges via tokens or credentials, as required by VA, other than of those of the person currently logged in to the target workstation. Switching to other products will not be cost effective as VA will have to purchase full licenses or alternative products which could exceed approximately three to four times the current cost. Additionally, moving to a different product would require extensive engineering manpower and hours to remove existing DameWare utilities and replace it with a new solution.

6. Efforts to Obtain Competition.

Market research was conducted, details of which are in the market research section of this document. Although the Government is limiting competition as a result of specifying a brand name, there are multiple authorized resellers of the brand name supplies on the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government-wide Acquisition Contract (GWAC). In accordance with FAR 5.301 and 16.505(b)(2), the action will be synopsized on the Federal Business Opportunities Page, due to

the dollar threshold. However, the Justification for an Exception to Fair Opportunity shall be posted to NASA SEWP IV GWAC website along with the solicitation.

7. Actions to Increase Competition.

In order to remove or overcome barriers to competition in future acquisitions for this requirement, the Government will continue to conduct market research to ascertain if there are changes in the market place that would enable future actions to be fully competed

8. Market Research.

Market research was conducted by our technical team during the time of May 2014 - June 2014. The methods used and results are as indicated below:

In May, 2014, the technical team conducted internet research, reviewing sample software and contacting sales staff for the following software: PCAnywhere, Real Virtual Network Computing (VNC) LogMeIn, ScreenConnect, and Radmin. The results indicated that PCAnywhere was not Dual Screen Capable thereby not allowing the System Administrator to see exactly what the user is seeing on both screens of the target workstation. Nor did it allow pass through of privileges via tokens or credentials other than those of the person currently logged in to the target workstation. Software products from VNC were found to lack the ability to take screenshots and do not have Windows administration capabilities. Products from LogMeIn do not provide Smart Card support for authentication which is required by VA. Products from ScreenConnect require a server to be installed, configured and maintained to negotiate connections between computers. Radmin products also do not provide Smart Card support for authentication, a critical requirement of VA. In addition, Radmin requires a Radmin server to be installed on the remote machine which interferes with ease of deployment. Furthermore, part of this requirement is for maintenance services for existing software the Government has already purchased. Only DameWare, or an authorized reseller, has the proprietary rights to provide a warranty for this software.

Market research was conducted in June 2014 via a Request for Information (RFI) that was issued on NASA SEWP IV GWAC. Three responses were received, including one from Group A (Value Added Resellers (VAR) and Original Equipment Manufacturers) and two from Group D (VAR). A review of the responses was completed by the technical team and it was determined that all three vendors can provide the required brand name equipment and services.

Additional market research was conducted in June 2014 utilizing the NASA SEWP IV Manufacturer Lookup Tool, and it was determined that although there

are 33 resellers of DameWare software products, only 31 can provide the required products needed. Therefore, limited competition exists.

9. Interested Sources.

No other source has expressed written interest in supplying this item.

10. **Technical and Requirements Certification.** I certify that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

Preparer

Name: Suzanne Fulmer Date: July 21, 2014
Title: Region 3 OIT Management Analyst

Signature: suzanne.fulmer@va.gov
Digitally signed by suzanne.fulmer@va.gov
DN: cn=suzanne.fulmer@va.gov
Date: 2014.07.21 16:09:24 -0400

11. **Fair and Reasonable Cost Determination.** I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable. Contracts awarded on NASA SEWP IV GWAC have already been determined to be fair and reasonable. As there are multiple vendors on the NASA SEWP IV GWAC, price competition is anticipated. Finally, the successful quote will be compared to the Independent Government Cost Estimate.

Name: Iris Farrell Date: 7/21/2014
Title: Contracting Officer

Signature: Iris Farrell

12. **Procuring Contracting Officer Certification.** I certify that this justification is accurate and complete to the best of my knowledge and belief. As this contract action does not exceed \$650,000, the certification below required by FAR 16.505(b)(2)(ii)(C)(1) serves as approval.

Name: Iris Farrell Date: 7/21/2014
Title: Contracting Officer

Signature: Iris Farrell